

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
-----X  
THOMAS DANIELS,

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: 08 Civ. 5567 (DAB)  
DATE FILED: 6/9/09  
BY: CLERK'S OFFICE

Petitioner,

-against-

08 Civ. 5567 (DAB)  
ADOPTION OF REPORT  
AND RECOMMENDATION

SUPERINTENDENT WILLIAM BROWN,  
Eastern Correctional Facility,

Respondent.

-----X  
DEBORAH A. BATTS, United States District Judge.

This matter is before the Court upon the January 16, 2009 Report and Recommendation of United States Magistrate Judge James C. Francis IV. The Parties have not filed objections.

Having reviewed the Report and Recommendation and finding no clear error on the face of the record, see Rule 72, Fed. R. Civ. P., Notes of Advisory Committee on Rules (citing Campbell v. United States Dist. Court, 501 F.2d 196, 206 (9th Cir.), cert. denied, 419 U.S. 879 (1974)), it is hereby

ORDERED AND ADJUDGED as follows:

1. The Report and Recommendation of United States Magistrate Judge James C. Francis IV dated January 16, 2009 be and the same hereby is approved, adopted, and ratified by the Court;

2. The application by Mr. Daniels for a writ of habeas corpus is denied and the petition of Mr. Daniels is dismissed;

3. The Clerk of the Court is directed to close the docket in this matter.

SO ORDERED.

Dated: New York, New York  
June 9, 2009

Deborah A. Batts

Deborah A. Batts  
United States District Judge